

### **REMARKS**

The present Amendment amends claims 2 and 16, leaves claims 3-15 and 17-29 unchanged and adds new claims 30-33. Therefore, the present application has pending claims 2-33.

Applicants acknowledge the Examiner's indication in paragraph 2 of the Office Action that the August 25, 2006 and the February 1, 2006 Information Disclosure Statements have been considered. However, it appears that the Examiner did not initial several of the references listed on the Forms PTO-1449 that were submitted by said Information Disclosure Statements. Attached herewith are the Forms PTO-1449 for each of the August 25, 2006 and February 1, 2006 Information Disclosure Statements so that the Examiner can initial the forms adjacent to the references that apparently were already considered so as to clarify the record.

The title of the invention stands objected to as not being descriptive. The title of the invention was changed to "COMPUTER SYSTEM AND A PROGRAM INSTALL METHOD FOR INSTALLING PROGRAMS FROM A STORAGE SYSTEM TO COMPUTERS FORMING THE COMPUTER SYSTEM", which Applicants submit is descriptive of the invention. Therefore, this objection is overcome and should be withdrawn.

Claims 2, 12-16 and 26-29 stand rejected under 35 USC §102(b) as being anticipated by Muller (article entitled "Focus on HP Open View"); and claims 3-11 and 17-25 stand rejected under 35 USC §103(a) as being unpatentable over Muller and Drake (U.S. Patent No. 6,954,930). These rejections are traversed for the following reasons. Applicants submit that the features of the present invention as now recited in claims 1-29 are not taught

or suggested by Muller or Drake whether taken individually or in combination with each other as suggested by the Examiner. Therefore, Applicants respectfully request the Examiner to reconsider and withdraw these rejections.

Amendments were made to the claims to more clearly describe features of the present invention as recited in the claims. Particularly, amendments were made to the claims to recite that the present invention is directed to a computer program on a computer readable medium for a computer system which includes a first computer, a second computer, a management computer operated by an operator to install a target program and a storage system coupled to the first and second computers and the management computer, and a computer program on a computer readable medium for the management computer.

According to the present invention the storage system includes at least one disk unit upon which are formed a plurality of logical units which include a shared logical unit accessible by each of the first and second computers and the management computer, a first logical unit accessible by the first computer and a second logical unit accessible by the second computer.

Further, according to the present invention the computer program, when executed, causes the computer system to control the first computer and the second computer from the management computer to start a process executed by an install agent of each of the first and second computers for installing a program, load an installer program stored in the shared logical unit of the storage system into each of the first and second computers by the install agent, install, according to the installer program on the first computer, a

target program for the first computer by controlling transfer of the target program stored in the shared logical unit of the storage system from the shared logical unit of the storage system to the first logical unit of said storage system and install, according to the installer program on the second computer, a target program for the second computer by controlling transfer of the target program stored in the shared logical unit of the storage system from the shared logical unit of the storage system to the second logical unit of said storage system.

Still further, according to the present invention upon performing the install steps, the first computer can use the target program stored in the first logical unit and the second computer can use the target program stored in the second logical unit.

As is clear from the above, the present invention provides that the target program to be installed is stored in the shared logical unit of the storage system along with an installer program as illustrated, for example, in Fig. 1 of the present application as elements 14, 141 and 142. The shared logical unit 14 is accessible by each of the first and second computers and the management computer.

Further, as is clear from the above, the present invention provides that the storage system includes first and second logical units, for example, as illustrated in Fig. 1 of the present application as elements 13a and 13b, each corresponding and accessible to one of the computers 2a and 2b.

By providing the above noted structure the present invention is able to accelerate the processing of installing new programs and to conduct such installing of new programs without the use of a local area network which can

unnecessarily intervene or cause an excessive amount of overhead. As is clear from the claims, the installing of the programs primarily involve transferring a copy of the program to be installed from the shared logical unit to the first or second logical units all within the storage system without the use of the network (fibre channel corrector 3). The Examiner's attention is directed to page 31, lines 1-6 of the present application.

The above described features of the present invention now more clearly recited in the claims are not taught or suggested by any of the references of whether said references are taken individually or in combination with each other as suggested by the Examiner. Particularly, the above described features of the present invention as now more clearly recited in the claims are not taught or suggested by Muller or Drake whether Muller or Drake are taken individually or in combination with each other as suggested by the Examiner.

Muller teaches a computer system such as that illustrated in Figs. 8-7 wherein the distribution of software can be accomplished. As taught by Muller, the system includes a software distribution depot which are repositories of software available for installation, target systems on which the software stored in the distribution depots are to be transferred and installed and a controller system which implements a software distributor to manage the software distribution process. As taught by Muller, the software distributor as implemented by the controller system allows administrators to manage the distribution depots, analyze the operating system of the target system so as to determine the appropriateness of the software to be installed, and manage the installation process on the individual target systems.

However, contrary to the Examiner's unsupported allegation at no point is there any teaching or suggestion as to the content and structure of the distribution depots in Muller. Particularly, there is no teaching or suggestion in Muller that the distribution depots includes at least one disk unit upon which are formed a plurality of logical units as in the present invention as recited in the claims.

Further, since there is no teaching or suggestion in Muller of logical units being provided on at least one disk unit of each distribution depot, surely there is no teaching or suggestion in Muller that the logical units formed on the at least one disk unit include a shared logical unit accessible by each of the first and second computers and the management, a first logical unit accessible by the first computer and a second logical unit accessible by the second computer as in the present invention as recited in the claims.

Still further, and most importantly, there is no teaching or suggestion in Muller that the installation process is conducted all within the distribution depots such that software to be installed is transferred from a shared logical unit within the distribution depot to first or second logical units within the distribution depot that are accessible by the computers and that once the software has been stored in the first and second logical units the computers can use the applications as stored in the first and second logical units as in the present invention as recited in the claims. Muller specifically describes that the software is transferred from the distribution depots to the target systems across the network and then installed in the storage of each target system. This teaching of Muller is entirely contrary to that of the present invention as clearly recited in the claims.

The above described features of the present invention are important and unique relative to Muller being that within the shared logical unit the installer program and the programs to be installed are contained and installation is accomplished by transferring a copy of the programs to be installed to logical units in the storage system accessible by the computers. Such features are clearly not taught or suggested by Muller. These features of the present invention as recited in the claims allow for use of a single location on which the programs to be installed and the program for installing the programs can be found and for the installation processes of the programs for use by the computers are conducted. Such features are not taught or suggested by Muller.

Thus, Muller fails to teach or suggest a computer system including first and second computers and a management computer operated by an operator to install as target program in a storage system coupled to the first and second computers and the management computer, wherein the storage system includes at least one disk unit upon which are formed a plurality of logical units which include a shared logical unit accessed by each of the first and second computers and the management computer, a first logical unit accessed by the first computer and a second logical accessed by the second computer as recited in the claims.

Further, Muller fails to teach or suggest controlling the first computer and the second computer from the management computer to start a process executed by an install agent of each of the first computer and the second computer for installing a program and loading an installer program stored in

the shared logical unit of the storage system into each of the first computer and the second computer by the install agent as recited in the claims.

Still further, Muller fails to teach or suggest installing, according to the installer program on the first computer, a target program for the first computer by controller transfer of the target program stored in the shared logical unit of the storage system from the shared logical unit of the storage system to the first logical unit and installing, according to the installer program on the second computer, a target for the second computer by controlling transfer of the target program stored in the shared logical unit of the storage system from the shared logical unit of the storage system to the second logical unit as recited in the claims.

Still further yet, Muller fails to teach or suggest that upon performing the installing steps, the first computer can use the target program stored in the first logical unit and the second computer can use the target program stored in the second logical unit as recited in the claims.

Therefore, Muller fails to teach or suggest the features of the present invention as now more clearly recited in the claims, and as such does not anticipate nor render obvious the claimed invention. Accordingly, reconsideration and withdrawal of the 35 USC §102(b) rejection of claims 2, 12-16 and 26-29 as being anticipated by Muller is respectfully requested.

The above described deficiencies of Muller are not supplied by any of the other references of record. Particularly, the above described deficiencies of Muller are not supplied by Drake. Therefore, combining the teachings of the Muller and Drake in the manner suggested by Examiner in the Office

Action still fails to teach or suggest the features of the present invention as now more clearly recited in the claims.

Drake is merely relied upon for an alleged teaching of the loading of an install agent for distribution. However, even if Drake does supply such teaching, it still fails to supply the above described deficiencies of Muller, particularly with regard to the segregation of storage areas in the storage system wherein the storage areas include a shared logical unit accessible for each of the first and second computers and the management computer, a first logical unit accessible by the first computer and a second logical unit accessible by the second computer and that the installing of a target program includes controlling the transfer of the target program from the shared logical unit of the storage system to the first or second logical units all within the storage system as recited in the claims.

Thus, Drake fails to teach or suggest the above described features of the present invention shown above not to be taught or suggested by Muller. Therefore, combining the teachings of Muller and Drake in the manner suggested by the Examiner in the Office Action still fails to teach or suggest the features of the present invention as now more clearly recited in the claims and as such does not render obvious the claimed invention. Accordingly, reconsideration and withdrawal of the 35 USC §103(a) rejection of claims 3-11 and 17-25 as being unpatentable over Muller in view of Drake is respectfully requested.

As indicated above, the present Amendment adds dependent claims 30-33. New dependent claims 30-33 depend variously from claims 2 and 16 and as such recite many of the same features shown above not to be taught



or suggested by any of the references of record particularly Muller and Drake whether said references are taken individually or in combination with each other as suggested by the Examiner. Therefore, the same arguments presented above with respect to claims 2-29 apply as well to new claims 30-33.

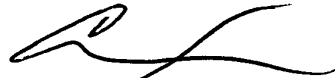
The remaining references of record have been studied. Applicants submit that they do not supply any of the deficiencies noted above with respect to the references utilized in the rejection of claims 2-29.

In view of the foregoing amendments and remarks, Applicants submit that claims 2-33 are in condition for allowance. Accordingly, early allowance of the present application based on claims 2-33 is respectfully requested.

To the extent necessary, the applicants petition for an extension of time under 37 CFR 1.136. Please charge any shortage in fees due in connection with the filing of this paper, including extension of time fees, or credit any overpayment of fees, to the deposit account of MATTINGLY, STANGER, MALUR & BRUNDIDGE, P.C., Deposit Account No. 50-1417 (500.39094CX1).

Respectfully submitted,

MATTINGLY, STANGER, MALUR & BRUNDIDGE, P.C.



---

Carl I. Brundidge  
Registration No. 29,621

CIB/jdc  
(703) 684-1120